
MINUTES

WEDNESDAY 11 NOVEMBER 2009

5.31PM – 7.25PM
(7.22PM – 7.25PM PUBLIC EXCLUDED)

Council Chamber
First Floor, Town Hall
Wakefield Street
Wellington

PRESENT:

Mayor Prendergast (5.31pm – 7.25pm)
Councillor Ahipene-Mercer (5.31pm – 7.20pm, 7.22pm - 7.25pm)
Councillor Best (5.31pm – 7.25pm)
Councillor Cook (5.31pm – 7.25pm)
Councillor Coughlan (5.31pm – 7.25pm)
Councillor Foster (5.33pm – 7.25pm)
Councillor Gill (5.31pm – 7.25pm)
Councillor Goulden (5.31pm – 7.25pm)
Councillor McKinnon (5.31pm – 7.25pm)
Councillor Morrison (5.31pm – 7.25pm)
Councillor Pannett (5.31pm – 7.25pm)
Councillor Pepperell (5.31pm – 7.25pm)
Councillor Ritchie (5.31pm – 7.22pm, 7.23pm – 7.25pm)
Councillor Wade-Brown (5.31pm – 7.25pm)
Councillor Wain (5.31pm – 7.25pm)

125/09C **APOLOGIES**
(1215/11/IM)

NOTED:

There were no apologies.

126/09C **PUBLIC PARTICIPATION**
(1215/11/IM)

NOTED:

There was no public participation.

127/09C **ANNOUNCEMENTS BY THE MAYOR**
(1215/11/IM)

NOTED:

There were no announcements from the Mayor

128/09C **PRESENTATION OF SAFETY IN THE CITY AWARD TO BEN DALTON**
(1215/11/IM)

NOTED:

Mayor Prendergast read the following to the meeting in recognition of Ben Dalton's actions.

“This is definitely a case of Wellingtonians choosing not to look the other way when they saw wrong being done.

On 20 November last year three men, strangers to each other, were walking in Manners Mall when they heard the sound of breaking glass.

They saw a man using a metal bar to smash a window of a shop in the Mall, then moving on to other businesses, smashing windows and damaging merchandise.

This is a case in which it would have been very easy for someone to walk on by, to think ‘They’ll be insured’ and dismiss it as someone else’s problem. But Ben Dalton, Bruce Thompson and Adam Newell decided to act.

Ben confronted the man, challenging him to drop the bar, allowing Bruce and Adam to tackle him while he was distracted and restrain him until police arrived.

These three performed a valuable service in preventing further damage to property and the ensuing risk to public safety.

I presented awards to Bruce Thompson and Adam Newell at a ceremony in September. It is now a very great pleasure to finish the job and present this Safety in the City Award to Ben Dalton.”

(Councillor Foster joined the meeting at 5.33pm.)

129/09C **PETITIONS**
(1215/11/IM)

NOTED:

There were no petitions.

130/09C **CONFLICT OF INTEREST DECLARATIONS**
(1215/11/IM)

NOTED:

1. Councillor Morrison declared a conflict of interest in relation to Report 2 – Approval of District Plan Changes 33 (In Part), 57, 60 and 68 as he had been a submitter to District Plan Change 68. He advised that he would not take part in debate or voting on the report in relation to District Plan Change 68.
2. Councillor Gill declared a conflict of interest in relation to Report 9 – Report of the Regulatory Process Committee. She advised that she would not take part in debate or voting on the matter.

General Business

131/09C **GOVERNANCE ARRANGEMENTS FOR REMAINDER OF 2007/10 TRIENNIUM** (5.35PM – 6.27PM)
Report of Svea Cunliffe-Steel – City Secretary.
(1215/11/IM) (REPORT 1)

Moved Councillor McKinnon, seconded Mayor Prendergast the substantive motion recommendations 1 – 11 with an amendment to recommendation 8 as follows:

8. Agree that Councillor Foster will remain as Alternate Council member of the Regional Land Transport Committee **and will retain the responsibility for walking and cycling reporting through the Transport portfolio leader.**

The substantive motion recommendations 1 – 11 with an amendment to recommendation 8 was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Coughlan, Foster, Gill, McKinnon, Morrison and Wain.

Voting against: Councillors Cook, Goulden, Pannett, Pepperell, Ritchie and Wade-Brown.

Majority Vote: 9:6

The substantive motion recommendations 1 – 11 with an amendment to recommendation 8 was declared CARRIED.

Moved Mayor Prendergast, seconded Councillor McKinnon the motion that Councillor Foster be the Chair of the Strategy and Policy Committee.

The motion that Councillor Foster be the Chair of the Strategy and Policy Committee was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Cook, Coughlan, Foster, Gill, McKinnon, Morrison, Wade-Brown and Wain.

Voting against: Councillors Goulden, Pannett, Pepperell and Ritchie.

Majority Vote: 11:4

The motion Councillor Foster be the Chair of the Strategy and Policy Committee was declared CARRIED.

Moved Mayor Prendergast, seconded Councillor Foster the motion that Councillor McKinnon be the Deputy Chair of the Strategy and Policy Committee.

The motion that Councillor McKinnon be the Deputy Chair of the Strategy and Policy Committee was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Cook, Coughlan, Foster, Gill, McKinnon, Morrison, Wade-Brown and Wain.

Voting against: Councillors Goulden, Pannett, Pepperell and Ritchie.

Majority Vote: 11:4

The motion that Councillor McKinnon be the Deputy Chair of the Strategy and Policy Committee was declared CARRIED.

Moved Councillor McKinnon, seconded Councillor Foster that Mayor Prendergast be the Transport Portfolio spokesperson.

The motion that Mayor Prendergast be the Transport Portfolio spokesperson was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Coughlan, Foster, Gill, McKinnon, Morrison and Wain.

Voting against: Councillors Cook, Goulden, Pannett, Pepperell, Ritchie and Wade-Brown.

Majority Vote: 9:6

The motion that Mayor Prendergast be the Transport Portfolio spokesperson was declared CARRIED.

RESOLVED:

THAT Council:

1. *Receive the information.*
2. *Agree to appoint **Councillor Foster** as the Chairperson to the Strategy and Policy Committee, with effect from 16 November 2009.*
3. *Agree to appoint **Councillor McKinnon** as the Deputy Chairperson to the Strategy and Policy Committee with effect from 16 November 2009.*
4. *Agree that Mayor Prendergast will Chair the Strategy and Policy Committee meetings when the Annual Plan or the Annual Report is being considered.*

5. *Agree to disestablish the current Urban Development & Transport portfolio and replace it with the following two portfolios, each with responsibility for the activities listed in Appendix One (of the officer's report):*
 - *Urban Development*
 - *Transport*
6. *Agree that the current Portfolio Leader - Urban Development and Transport will become Portfolio Leader - Urban Development.*
7. *Agree to appoint **Mayor Prendergast** as Portfolio Leader - Transport with effect from 12 November 2009.*
8. *Agree that Councillor Foster will remain as Alternate Council member of the Greater Wellington Regional Council Land Transport Committee **and will retain the responsibility for walking and cycling reporting through the Transport portfolio leader.***
9. *Note that the responsibilities of the Associate Portfolio Leader, Urban Development and Transport will remain unchanged, but support will now be provided to the two separate portfolio leaders.*
10. *Agree that Activity 6.4.4. Playgrounds will be moved from the Social Portfolio to the Economic Development and Recreation portfolio with effect from 12 November 2009.*
11. *Agree to make any consequential adjustments to the 2007/2010 Delegations arising out of the preceding changes.*

132/09C **APPROVAL OF DISTRICT PLAN CHANGES 33 (IN PART), 57, 60 AND 68** (6.27PM – 6.32PM)
 Report of Brett McKay – Principal Planner.
 (1215/11/IM) (REPORT 2)

Moved Councillor Foster, seconded Councillor Wain the substantive motion with an amended recommendation 2 and a new recommendation 4 as follows:

“THAT Council:

2. Agree to approve District Plan Changes 33 (in part - Ridgeline and Hilltops overlay, Best Farms Stebbings Valley), 57, 60 ~~and 68~~ in accordance with clause 17 of Schedule 1 to the Resource Management Act 1991.

New 4. Agree to approve District Plan Change 68 in accordance with clause 17 of Schedule 1 to the Resource Management Act 1991.

The substantive motion recommendations 1 and 2 as amended were put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Cook, Coughlan, Foster, Gill, Goulden, McKinnon, Morrison, Pannett, Pepperell, Ritchie, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 15:0

The substantive motion recommendations 1 and 2 as amended were declared CARRIED.

(Councillor Morrison withdrew from the table due to a conflict of interest.)

The substantive motion recommendation 3 and new 4 were put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Cook, Coughlan, Foster, Gill, Goulden, McKinnon, Pannett, Pepperell, Wade-Brown and Wain.

Voting against: Councillor Ritchie.

Majority Vote: 13:1

The substantive motion recommendation 3 and new 4 were declared CARRIED.

RESOLVED:

THAT Council:

1. *Receive the information.*
2. *Agree to approve District Plan Changes 33 (in part - Ridgeline and Hilltops overlay, Best Farms Stebbings Valley), 57, 60 in accordance with clause 17 of Schedule 1 to the Resource Management Act 1991.*
3. *Agree that the Plan Changes will become operative on Friday 20 November 2009.*
4. ***Agree to approve District Plan Change 68 in accordance with clause 17 of Schedule 1 to the Resource Management Act 1991.***

(Councillor Morrison returned to the table.)

133/09C **DECISION ON DISTRICT PLAN VARIATION 11: WELLINGTON WATERFRONT RULE AMENDMENTS** (6.32PM – 7.19PM)
 Report of Brett McKay – Principal Planner.
 (1215/11/IM) (REPORT 3)

Moved Councillor Foster, seconded Councillor Ahipene-Mercer the substantive motion.

The substantive motion was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Coughlan, Foster, Gill, Goulden, McKinnon, Morrison, Wade-Brown and Wain.

Voting against: Councillors Cook, Pannett, Pepperell and Ritchie.

Majority Vote: 11:4

The substantive motion was declared CARRIED.

RESOLVED:

THAT Council:

1. *Receives the information.*
2. *Approves the recommendations of the District Plan Hearing Commissioners in respect of District Plan Variation 11 – Wellington Waterfront Rule Amendments, as detailed in the Hearing Commissioner's Report (attached as Appendix 1 of the officers report).*

Reports from Committees – Part A – Committee Decisions requiring Council approval.

134/09C **STRATEGY AND POLICY COMMITTEE** (7.19PM – 7.21PM)
Meeting of Thursday 15 October 2009
 (1215/11/IM) (REPORT 4)

1. **ITEM 206/09P PROPOSED SPEED LIMIT REDUCTION: TINAKORI ROAD SHOPPING AREA, THORNDON**
 (1215/52/IM) (REPORT 3)

Moved Councillor Wain, seconded Councillor Foster the substantive motion.

(Councillor Ahipene-Mercer left the meeting at 7.20pm.)

The substantive motion was put.

Voting for: Councillors Mayor Prendergast, Cook, Foster, Gill, Goulden, McKinnon, Pannett, Pepperell, Ritchie, Wade-Brown and Wain.

Voting against: Councillors Coughlan and Morrison.

Majority Vote: 12:2

The substantive motion was declared CARRIED.

RESOLVED:

THAT Council:

1. *See Part B.*
2. *Resolve under Clause 6 of the Wellington City Consolidated Bylaw to set the speed limit as stated in the table below on the following section of Tinakori Road, Thorndon.*

Table 1: Proposed speed limit for Tinakori Road

<i>Tinakori Road Shopping Area</i>	<i>Tinakori Road from its intersection with Upton Terrace to its intersection with Lewisville Terrace</i>	30km/h
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3. *See Part B.*
4. *See Part B.*
5. *See Part B.*

Reports from Committee - Part B – Committee decisions for Council to note.

135/09C **RECEIPT OF INFORMATION FOR NOTING FROM COMMITTEES** (7.21PM – 7.22PM)
(1215/11/IM)

Moved Mayor Prendergast, seconded Councillor Coughlan, the motion that Council receive the information for noting from the Report 5 – Strategy and Policy Committee meeting of Thursday 8 October 2009, Report 6 – Strategy and Policy Committee meeting of Thursday 15 October 2009 and Report 7 - Regulatory Processes Committee, Meeting of Wednesday 14 October 2009.

The motion was put.

Voting for: Councillors Mayor Prendergast, Cook, Coughlan, Foster, Gill, Goulden, McKinnon, Morrison, Pannett, Pepperell, Ritchie, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 14:0

The motion was declared CARRIED.

RESOLVED:

THAT Council:

1. *Receive the information for noting from the Report 5 – Strategy and Policy Committee meeting of Thursday 8 October 2009, Report 6 – Strategy and Policy Committee meeting of Thursday 15 October 2009 and Report 7 - Regulatory Processes Committee, Meeting of Wednesday 14 October 2009.*

STRATEGY AND POLICY COMMITTEE

Meeting of Thursday 8 October 2009

(1215/11/IM)

(REPORT 5)

1. ***ITEM 194/09P NEWLANDS CENTRE PLAN
(1215/52/IM) (REPORT 1)***

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Agree to consult on the revised draft Newlands Centre Plan as amended during November 2009.*
3. *Note that the results of the consultation and a final Newlands Centre Plan, including an implementation action plan, will be reported back to the Committee in early 2010 for further consideration.*

2. **ITEM 197/09P TRAFINZ CONFERENCE REPORT BACK**
(1215/52/IM) (REPORT 4)

THAT the Strategy and Policy Committee:

1. *Receive the information and refer to officers for their consideration.*

3. **FORWARD PROGRAMME**
(1215/52/IM) (REPORT 5)

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Note that the Forward Programme as currently drafted is an interim report, and the amended programme containing the final policy programme will be presented to Councillors in November 2009.*
3. *Request that officers prepare a report on the issues of pedestrian, cycling and safety in the Johnsonville and surrounding areas and that it be provided to the Strategy and Policy Committee no later than 19 November 2009.*
4. *Request that officers prepare a report on the Community Facilities Review and the Thorndon Quay Priorities for consideration by the Strategy and Policy Committee in December 2009.*

STRATEGY AND POLICY COMMITTEE

Meeting of Thursday 15 October 2009

(1215/11/IM)

(REPORT 6)

1. **ITEM 204/09P WATER CONSERVATION AND EFFICIENCY PLAN**
(1215/52/IM) (REPORT 1)

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *Agrees to adopt an interim target of stabilising water consumption in acknowledgement of the goal:*
“To accommodate Wellington city’s population growth through to 2025 with the same amount of water we have available to us now.”
3. a. *Agrees to adopt a phased approach to water demand management whereby education and the more easily achieved water efficiencies are undertaken first and results analysed prior to more expensive or onerous options being considered for adoption*

- b. *Request officers to use best endeavours to undertake this in partnership with Greater Wellington Regional Council, Porirua City Council, Upper Hutt City Council and Hutt City Council.*
- 4. *Agrees that Council continues to take a leadership role implementing water efficiencies in our operations and supply networks.*
- 5. *Agrees to consult in May 2010 on the next phase of the water conservation plan, which does not include compulsory water meters, ensuring that the consultation materials make it clear that meters and dams are potentially part of the longer future if we do not stabilise total water consumption and explain the cost benefit of them.*
- 6. *Agrees to consult on what service level is acceptable, including frequency of water restrictions.*
- 7. *Agrees that the draft water conservation plan will include business, domestic and organisational sectors.*
- 8. *Requests staff explore funding mechanisms for water conservation outcomes (for example installation of rain water tanks).*

2. ***ITEM 205/09P SUBMISSION ON THE LAW COMMISSION'S ISSUES PAPER 15: ALCOHOL IN OUR LIVES: AN ISSUES PAPER ON THE REFORM OF NEW ZEALAND'S LIQUOR LAWS (1215/52/IM) (REPORT 2)***

THAT the Strategy and Policy Committee:

- 1. *Receive the information.*
- 2. *Agree to the attached submission Appendix 1 on the Law Commission's consultation document "Alcohol In Our Lives: An Issues Paper On The Reform Of New Zealand's Liquor Laws", with the following amendments:*
 - a. *Page 43: (With respect to Comprehensive national legislation around drinking in public places), Council supports streamlining the process for local authorities banning drinking in public spaces, but considers a national ban on drinking in public spaces excessive*
 - b. *Page 46: Add after "Club Licences", Council considers the process including notification requirements and costs for obtaining liquor licences should vary in proportion to the alcohol related risks of each licence.*

3. *Agree to delegate to the Chief Executive Officer and the Mayor the authority to edit the submission and include any amendments agreed by the Strategy and Policy Committee.*

3. **ITEM 206/09P PROPOSED SPEED LIMIT REDUCTION: TINAKORI ROAD SHOPPING AREA, THORNDON**
(1215/52/IM) (REPORT 3)

THAT the Strategy and Policy Committee:

1. *Receive the information.*
2. *See Part A.*
3. *Note the results of the public consultation process: i.e, 186 submissions were received for Tinakori Road of which 142 supported the proposal, 20 agreed to lower limits but would like to see the area extended; 2 agreed with lowering the limit but only to 40km/h and 24 opposed the lower speed limit.*
4. *Note that the process to change a speed limit as described in both the Land Transport Rule: Setting of Speed Limits (2003) and Part 6 (Speed Limits) of the Wellington City Consolidated Bylaw, has been followed.*
5. *Note that in accordance with the Land Transport Rule: Setting of Speed Limits (2003) and Part 6 (Speed Limits) of the Wellington City Consolidated Bylaw, the resolution will be recorded in the Register of Speed Limits and the relevant speed limits on the Councils Speed Limit Plans cease to have effect.*

4. **ITEM 207/09P HERITAGE GRANTS**
(1215/52/IM) (REPORT 4)

THAT the Strategy and Policy Committee:

1. *Receives the information.*
2. *Agrees to the allocation of grants and associated conditions to applicants in the July 2009 round of the Built Heritage Incentive Fund, as assessed by Council officers, as follows:*

Project	Grant Proposed
(1) <i>House, 16 St Mary Street, Thorndon</i> <i>The grant will be offered on the condition that:</i> <ul style="list-style-type: none"> • <i>Any exterior work including the re-roofing must be based upon original or existing</i> 	\$20,000.00

	<i>format and historical precedent. Advice from a conservation architect will ensure the correct approach.</i>	
(2)	<i>Greer House, 420 Middleton Road, Glenside No special conditions.</i>	<i>\$3,456.00</i>
(3)	<i>Hannah's Factory Apartments, 14 Leeds Street, Te Aro The grant will be offered on the condition that:</i> <ul style="list-style-type: none"> • <i>The grant is to be used for the preparation of a conservation plan prepared by a conservation professional.</i> 	<i>\$10,000.00</i>
(4)	<i>House, 10B Tinakori Road, Thorndon No special conditions.</i>	<i>\$14,839.00</i>
(5)	<i>St Michael's Anglican Church, Upland Road, Kelburn The grant will be offered on the conditions that:</i> <ul style="list-style-type: none"> • <i>A conservation architect is consulted for site inspection and advice before any repair, cleaning, and sealing work is undertaken.</i> • <i>A conservation plan and condition survey and remedial action report must be prepared.</i> • <i>The conservation plan should include a recommendation that considers the appropriateness of district plan listing.</i> 	<i>\$14,630.00</i>
(6)	<i>Yacht 'Rona'</i>	<i>\$0</i>
	<i>Total</i>	<i>\$62,925.00</i>

3. *Agrees to a change in project description for a grant approved in the November 2008 round of the Built Heritage Incentive Fund for the Hazel Court apartment building at 4 Claremont Grove in Mt Victoria (Refer section 5.5).*

5. ***ITEM 208/09P GRANTING OF PREMISES LEASE TO BUILDING BIOLOGY AND ECOLOGY INSTITUTE LIMITED (1215/52/IM) (REPORT 5)***

THAT the Strategy and Policy Committee:

1. *Receives the information.*
2. *Approves, subject to the terms and conditions noted in recommendations 3 and 4, the granting of a fresh premises lease to*

Building Biology and Ecology Institute Limited in accordance with the Reserves Act 1977.

3. *Notes that the terms of the lease are:*

Location:	<i>Truby King House, Truby King Park, Melrose</i>
Term:	<i>5 years</i>
Annual Rental:	<i>\$9,100 + GST</i>
Annual Maintenance Fee:	<i>\$1,389.66 + GST</i>

4. *Notes that any approval to grant the lease is conditional on:*

- (i) Appropriate consultation with iwi.*
- (ii) The lease being publicly notified in accordance with sections 119 and 120 of the Reserves Act 1977.*
- (iii) There being no sustained objections resulting from the abovementioned consultation or notification.*
- (iv) Building Biology and Ecology Institute Limited pays for the legal and advertising costs associated with preparing the lease.*

6. ***ITEM 209/09P NEW ZEALAND RECREATION ASSOCIATION CONFERENCE, HASTINGS, 1 – 4 NOVEMBER 2009 (1215/52/IM) (REPORT 7)***

THAT the Strategy and Policy Committee:

- 1. *Receive the information.*
- 2. *Approve the attendance of one Elected Member at the ‘New Zealand Recreation Association Conference’ to be held at the Hawke’s Bay Opera House in Hastings on 1 – 4 November 2009, and agree that the costs associated with attending the conference are met from the Elected Members Budget (GVEM01).*
- 3. *Agree that should the nominated Councillor be unable to attend, they will nominate another Councillor to attend in their place.*
- 4. *Note that a Local Government New Zealand zone four meeting is scheduled for Monday, 2 November 2009, a Strategy and Policy Committee Pre-Meeting Session, a Strategy and Policy Agenda meeting, and a Culture Flow Course (stream one) for Councillors are scheduled for Tuesday, 3 November 2009, and Creative Communities, and Culture Flow Course (stream two) are scheduled for Wednesday, 4 November 2009.*
- 5. *Note that a report on the conference will be presented to the Strategy and Policy Committee in accordance with Council policy.*

REGULATORY PROCESSES COMMITTEE
Meeting of Wednesday 14 October 2009
(1215/11/IM)

(REPORT 7)

1. **ITEM 059/09RP GRANTING OF A LEASE AND LICENSE FOR A
COMMUNITY GARDEN TO INNERMOST GARDENS
INCORPORATED**
(1215/53/IM) (REPORT 2)

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Approve, subject to the terms and conditions noted below, the granting of a new lease and licence to the Innermost Garden Incorporated in accordance with the Reserves Act 1977.*
3. *Note that the terms of the lease and licence are:*

<i>Location</i>	<i>Lawson Lane, Mount Victoria, Wellington</i>
<i>Term:</i>	<i>Three years</i>
<i>Annual Rent:</i>	<i>\$91 per annum plus GST</i>
4. *Note that any approval to grant a new licence and lease will be conditional on:*
 - (a) Appropriate consultation with Iwi being completed;*
 - (b) The licence and lease being publicly notified in accordance with sections 119 and 120 of the Reserves Act 1977 together with any conditions set out in any approved Management Plans (e.g. Town Belt Management Plan);*
 - (c) There being no sustained objections resulting from the required consultation or notification.*
 - (d) The Innermost Garden Incorporated reimbursing Council for any costs incurred in advertising.*

2. **ITEM 060/09RP GRANTING OF GROUND LEASE TO WELLINGTON
NORTH BADMINTON ASSOCIATION INCORPORATED**
(1215/53/IM) (REPORT 3)

THAT the Regulatory Processes Committee:

1. *Receive the information.*
2. *Approve, subject to the terms and conditions noted in recommendations 3 and 4, the granting of a new ground lease to North Wellington Badminton Association Incorporated in accordance with the Reserves Act 1977.*

3. *Note that the terms of the lease are:*

Location: *Taylor Park and Play Area, Tawa*
Term: *10 years, with one renewal of 10 years*
Annual Rental: *\$697 + GST*

4. *Note that any approval to grant the lease is conditional on:*

- (a) Appropriate consultation with iwi.*
- (b) The lease being publicly notified in accordance with section 119 and 120 of the Reserves Act 1977.*
- (c) There being no sustained objections resulting from the abovementioned consultation or notification.*
- (d) Wellington North Badminton Association Incorporated pays for the legal and advertising costs associated with preparing the lease.*
- (e) Approval from the Minister of Conservation in accordance with the Reserves Act 1977.*

(Councillor Ahipene-Mercer returned to the meeting at 7.22pm.)

136/09C **QUESTIONS**
(1215/11/IM)

NOTED:

There were no questions.

137/09C **RESOLUTION TO EXCLUDE THE PUBLIC**
(1215/11/IM)

Moved Mayor Prendergast, seconded Councillor Ahipene-Mercer the motion to exclude the public.

The substantive motion was put.

Voting for: Mayor Prendergast, Councillors Ahipene-Mercer, Best, Cook, Coughlan, Foster, Gill, Goulden, McKinnon, Morrison, Pannett, Pepperell, Ritchie, Wade-Brown and Wain.

Voting against: Nil.

Majority Vote: 15:0

The substantive motion was declared CARRIED.

RESOLVED:

THAT Council:

1. *Pursuant to the provisions of the Local Government Official Information and Meetings Act 1987, exclude the public from the following part of the proceedings of this meeting namely:*

Report 8 – Strategy and Policy Committee Meeting of Thursday 15 October 2009 - Request for Purchase and / or Rezoning Part of Lot 100 DP 335825, G and R Fagan, 28 Sunhaven Drive, Newlands

Grounds: Section 48(1)(a) that public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.

Reason: Section 7(2)(i) to enable the Council to carry out negotiations without prejudice or disadvantage.

Report 9 – Regulatory Processes Committee Meeting of Wednesday 14 October 2009 - District Plan Change 30 – Environment Court Appeal – Proposal for Settlement

Grounds: Section 48(1)(a) that public conduct of the whole or the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under Section 7.

*Reason: Section 7(2)(g) maintain legal professional privilege.
Section 7(2)(i) to enable the Council to carry out negotiations without prejudice or disadvantage.*

2. *Permit Craig Stevens and Kerry Anderson of DLA Phillips Fox to remain at this meeting, after the public has been excluded because of their knowledge of Report 8 – Strategy and Policy Committee meeting of Thursday 15 October 2009 and Report 9 - Regulatory Processes Committee, Meeting of Wednesday 14 October 2009 as this knowledge, may be of assistance in relation to the matter being discussed.*

The meeting went into public excluded session at 7.22pm.

For items 138/09C and 139/09C, please see the public excluded minutes.

(Councillor Ritchie left the meeting at 7.22pm.)

(Councillor Ritchie returned to the meeting at 7.23pm.)

The meeting concluded at 7.25pm.

Confirmed: _____
Chair
/ /